

TRANSMITTAL LETTER  
(General - Patent Pending)

3676  
Docket No.  
P 97 194.024

In Re Application Of: Ronald L. Carr

Serial No.  
08/952,001

Filing Date  
November 7, 1997

Examiner  
A. Pickard

Group Art Unit  
3626

Title: JOINT ASSEMBLY EMPLOYING MULTI-RING GASKET

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Transmitted herewith is:

PETITION TO THE COMMISSIONER UNDER MPEP 1002.02(c)(8) OR 37 CFR 1.181 IN THE ALTERNATIVE;  
TRANSMITTAL LETTER (in duplicate); and  
POSTCARD

in the above identified application.

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GROUP 3600

Dated: March 31, 2003

  
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Garth Janke, Reg. No. 40,662  
BIRDWELL, JANKE & DURANDO, PLC  
1100 SW Sixth Avenue, Suite 1400  
Portland, Oregon 97204  
Tel: 503-228-2841

I certify that this document and fee is being deposited  
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Signature of Person Mailing Correspondence

L.H. Rouske

Typed or Printed Name of Person Mailing Correspondence

cc:



UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATIONS

#32  
PETER  
Kouske  
1-181  
4/15/03  
Bhow

Applicant: Ronald L. Carr

Group Art Unit: 3626

Serial No.: 08/952,001

Examiner: A. Pickard

Filed: November 7, 1997

Docket No.: P 97 194.024

Title: JOINT ASSEMBLY EMPLOYING MULTI-RING GASKET

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this 31st day of March, 2003.

*L.H. Rouske*  
L.H. Rouske

Birdwell & Janke, LLP  
900 SW Fifth Avenue, Suite 1925  
Portland, OR 97204

March 31, 2003

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GROUP 3600

PETITION TO THE COMMISSIONER 37 CFR 1.181 TO RESET A REPLY PERIOD

Applicant hereby petitions the commissioner under 37 CFR §1.181 in the above-captioned patent application, to have the period for response to the Examiner's Answer, mailed January 31, 2003, reset according to the rules.

The facts are as follows:

Applicant faxed a change of address to the above-captioned art unit on October 21, 2002. Notwithstanding, the Examiner's Answer was mailed on January 31, 2003, to Applicant's old address and was not received by Applicant. The Post Office returned the mailing to the Patent Office and a clerk, Sandra Garnett, at the Patent Office called this office and inquired as to our correct address. This was supplied along with a Certificate of Facsimile and the transmittal confirmation report. Subsequently, the Examiner's Answer was remailed on March 21, 2003

and was received in this office on March 27, 2003. However, a cover letter indicated that the period for response was not being reset.

#### Applicable Rules

MPEP 502.01 provides that except in certain cases which do not apply here, correspondence may be transmitted to the Patent Office by facsimile. "The date of receipt . . . is the date the complete transmission is received by an Office facsimile unit . . ." Attached as Exhibit A is a Confirmation Sheet provided by the facsimile unit used for transmission, showing that the transmission was received by an Office facsimile unit and the Change of Attorney's Address. Particularly, the confirmation sheet indicates that the transmission was successfully sent to the phone number indicated. The change of address included a Certificate of Transmission, which is shown in Exhibit B, and is in compliance with 37 CFR 1.8(a)(1)(i)(B) and (ii). The change of address was faxed to the facsimile machine for Group 3600. The number was posted on the USPTO's website. A copy of the page of the website is included in Exhibit C. Accordingly, Applicants fully complied with MPEP 502.01 for sending correspondence by facsimile.

This office called the examiner and the examiner's supervisor asking that the period be reset according to the requirements of MPEP 710.06, which states:

"Where for any reason it becomes necessary to remail any action . . . , the action should be correspondingly redated, as it is the remailing date that establishes the beginning of the period for reply."

However, both the examiner and the examiner's supervisor refused to reset the period.

Applicant's Request

Although a Reply was prepared under severe time constraints in order to meet the current official deadline for response, Applicant requests that the period for response be reset according to the rules to give Applicant a chance to supplement the Reply being filed. It is respectfully submitted that the period should have been reset upon remailing to begin on the new mailing date of March 21, 2003. Since this did not happen, Applicant respectfully submits that the period should be reset to begin when Applicant is notified that this petition is being granted, so that Applicant receives the 2 month period for response to which he is entitled under 37 CFR 1.193.

Respectfully submitted,



Garth Janke  
(503) 228-1841

X:\data\wp51\CARR\024\Petition.wpd

# Exhibit A


\*\* Transmit Conf. Report \*\*

P.1

Oct 21 2002 11:50

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
17038729326	NORMAL	21,11:50	0'50"	2	* O K	



<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. <b>P 97 194.024</b>
Applicant(s): <b>Ronald L. Carr</b>			
Serial No. <b>08/952,001</b>	Filing Date <b>11/7/97</b>	Examiner <b>Allison K. Pickard</b>	Group Art Unit <b>3676</b>
Invention: <b>JOINT ASSEMBLY EMPLOYING MULTI-RING GASKET</b>			
<p>I hereby certify that this _____ <b>Change of Attorney Address</b> _____  <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u><b>(703) 872-9326</b></u>)</p> <p>on <u><b>October 21, 2002</b></u>  <i>(Date)</i></p> <div style="text-align: right; margin-top: 100px;"> <p><u><b>Chris Pellechi</b></u>  <i>(Typed or Printed Name of Person Signing Certificate)</i></p> <p><u></u>  <i>(Signature)</i></p> </div>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			

**Change Of Attorney Or Agent's Address In Application**  
(37 CFR 1.8(a))

Docket No.

P 97 194.024

In Re Application Of: **Ronald L. Carr**

Serial No.  
08/952,001

Filing Date  
11/7/97

Examiner  
Alison K. Pickard

Group Art Unit  
3676

Invention: **JOINT ASSEMBLY EMPLOYING MULTI-RING GASKET**


TO THE ASSISTANT COMMISSIONER FOR PATENTS

Please send all correspondence for this application to:

**Garth Janke, Reg. No. 40,662**  
**Birdwell Janke & Durando, PLC**  
**1100 SW Sixth Avenue, Suite 1400**  
**Portland, Oregon 97024**

Please direct all telephone calls to:

**Garth Janke**  
**(503) 228-1841**

  
*Signature of Attorney or Agent of Record*

Dated: **October 21, 2002**

**Garth Janke, Reg. No. 40,662**  
**Birdwell Janke & Durando, PLC**  
**1100 SW Sixth Avenue, Suite 1400**  
**Portland, OR 97204**



*Registration Number & Address of Attorney or Agent of Record*

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20231.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

Exhibit B

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Ronald L. Carr			P 97 194.024
Serial No. 08/952,001	Filing Date 11/7/97	Examiner Alison K. Pickard	Group Art Unit 3676
Invention: JOINT ASSEMBLY EMPLOYING MULTI-RING GASKET			
			
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is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9326</u> )			
on <u>October 21, 2002</u> (Date)			
Chris Pellechi (Typed or Printed Name of Person Signing Certificate)			
 (Signature)			
Note: Each paper must have its own certificate of mailing.			



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Agriculture, National Security and License and Review

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3600	Transportation, Construction, Agriculture, National Security and License and Review	Telephone	Fax
	Customer Service	703-306-5771	703-872-9325
	General Information/Receptionist	703-308-1113	703-305-7687
	RightFax:		
	Before Final		703-872-9326
	After Final		703-872-9327

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3610	Surface Transportation	Telephone	Fax
	General Information/Receptionist	703-308-1113	703-305-7687
	Director	703-308-1134	
3611	Land and Motor Vehicles	703-308-0629	
3612	Bodies and Tops, Freight Accommodation	703-308-3102	
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